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Attorneys for Sentius International, LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

SENTIUS INTERNATIONAL, LLC,

Plaintiff,

vs.

MICROSOFT CORPORATION,

Defendant.

Case No. C-13-0825-PSG

DECLARATION OF SETH ARD IN
SUPPORT OF PLAINTIFF'S OPENING
CLAIM CONSTRUCTION BRIEF

1
2 I, Seth Ard, do hereby declare as follows:

3 1. I am an active member of the State Bar of New York, and I am an attorney with
4 the firm of Susman Godfrey L.L.P and am admitted *pro hac vice* in this Court. I am one of the
5 attorneys representing the plaintiff in this matter. I am over the age of 18, competent to testify to
6 the facts stated herein, and have personal knowledge of the facts and statements in this
7 declaration.

8
9 2. Attached as Exhibit 1 is a true and correct copy of the March 31, 1998 internal
10 Microsoft email (filed under seal).

11 3. Attached as Exhibit 2 is a true and correct copy of the U.S. Patent No. RE 40,371
12 (the “731 Patent”).

13
14 4. Attached as Exhibit 3 is a true and correct copy of the RE 43,633 (the “633
15 Patent”).

16 5. Attached as Exhibit 4 is a true and correct copy of the U.S. Patent No. 7,672,985
17 (the “985 Patent”).

18 6. Attached as Exhibit 5 is a true and correct copy of the U.S. Patent No. 8,214,349
19 (the “349 Patent”).

20
21 7. Attached as Exhibit 6 is a true and correct copy of the March 29, 2002 Flyswat
22 Order Re: Construction of Claim 8 of United States Patent No. 5,822,720.

23 8. Attached as Exhibit 7 is a true and correct copy of excerpts from IBM Dictionary
24 of Computing (1994).

25 9. Attached as Exhibit 8 is a true and correct copy of an excerpt from IEEE 100 The
26 Authoritative Dictionary of IEEE Standards Terms, 7th Ed. (2000).
27

11. Attached as Exhibit 10 is a true and correct copy of Light Hypermedia Link Services: A Study of Third Party Application Integration. Hugh C. Davis, Simon Knight, and Wendy Hall. (1994)).

13. Attached as Exhibit 12 is a true and correct copy of September 14, 2009 correspondence entitled Request for Extension of time and Responsive Amendment Under 37 C.F.R. §1.111, from the '985 Patent prosecution history.

14. Attached as Exhibit 13 is a true and correct copy of an excerpt from Microsoft Press Computer Dictionary: The Comprehensive Standard For Business, School, Library, and Home (1994).

15. Attached as Exhibit 14 is a true and correct copy of the claim construction order in *Friskit, Inc. v. Realnetworks, Inc.*, 3-03-cv-0585 (N.D.Cal. May 20, 2005).

/s/ Seth Ard
Seth Ard

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Civ. L.R. 5-1(h)(1).

By: /s/ Seth Ard

Seth Ard